

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           JENNIFER L. OTIS, R.N.**  
**License No.: 0001-201879**

**ORDER**

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 4, 2014, in Henrico County, Virginia. Jennifer L. Otis, R.N., was not present nor was she represented by legal counsel. Janet B. Younger, R.N., P.N.P., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 21, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Otis was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

**FINDINGS OF FACT**

1. Jennifer L. Otis, R.N., was issued License No. 0001-201879 to practice professional nursing in Virginia on July 5, 2006. The license expired on March 31, 2014. Her primary state of residence is Virginia.

2. By letter dated February 12, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Otis notifying her that an informal conference would be held on March 4, 2014. The Notice was sent by certified and first class mail to 505 Hupps Hill Ct., Strasburg, Virginia 22657, the address of record on file with the Board of Nursing. The Notice was also sent to P.O. Box 83, Star Tannery, Virginia 22654, a secondary address. As of March 4, 2014, the Notices sent by certified mail had not been retrieved or returned to the Board, and the Notices sent by first class mail had not been

returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Otis, and the informal conference proceeded in her absence.

3. On September 10, 2013, during an interview with an investigator from the Department of Health Professions, Ms. Otis admitted to being addicted to heroin and that she was currently being prescribed Suboxone (buprenorphine and naloxone, Schedule III). Ms. Otis reported that she was not employed in healthcare and declined to provide any further information due to pending criminal charges.

4. On July 1, 2013, in the Circuit Court of Warren County, Virginia, Ms. Otis was indicted on the following felony charges: two counts of distribution of heroin; one count of distribution of methylone; and one count of distribution of heroin and methylone. Disposition is pending.

5. On July 2, 2013, Ms. Otis' employment with Valley Health – Winchester Medical Center, Winchester, Virginia, was terminated subsequent to her self-reporting the above-referenced criminal charges.

### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended.

### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. The right of Jennifer L. Otis, R.N., to renew License No. 0001-201879 is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Otis shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Otis shall be responsible for any fees that may be

required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice professional nursing.

5. This suspension shall be STAYED upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Otis shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Jennifer L. Otis, R.N., and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Otis is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Otis' participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Otis involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Otis' participation and successful completion of the HPMP, the Board, at its discretion, may waive her appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Otis' multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Otis shall not work outside of the


Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

8. Ms. Otis shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Otis failed to appear at the informal conference, this Order shall be considered final. Ms. Otis has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Otis has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD:

  
per Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

**Certified True Copy**

By   
Virginia Board of Nursing

Entered: June 3, 2014